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DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Network element for use in an optical communication network, in particular a DWDM communication network

the application of which

☐ is attached hereto

OR

☐ was filed on _____
as United States Application Number or PCT International Application
Number _____
(Confirmation No. _____), and was amended on
_____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Claimed	
			Yes	No
03 360 055.2	Europe	May 05, 2003	x	<input type="checkbox"/>

I hereby claim domestic priority benefits under 35 United States Code §120 of any United States application(s), §119(e) of any United States provisional application(s), or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)	U.S. or International Filing Date	Status

I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

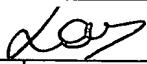
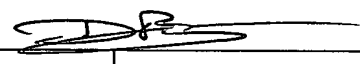
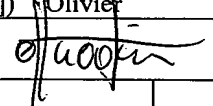
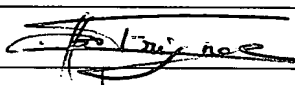


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PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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NAME OF SOLE OR FIRST INVENTOR:			
Given Name (first and middle [if any]) Stéphanie		Family Name or Surname LANNE	
Inventor's Signature 		Date 4/12/2003	
Residence: City Paris	State	Country France	Citizenship French
Mailing Address: 41, rue des Plantes, 75014 Paris, France			
City 75014 Paris	State	Zip	Country France
NAME OF SECOND INVENTOR:			
Given Name (first and middle [if any]) Denis		Family Name or Surname PENNINCKX	
Inventor's Signature 		Date 26/11/2003	
Residence: City Nozay	State	Country France	Citizenship French
Mailing Address: 5, rue Pasteur, 91620 Nozay, France			
City 91620 Nozay	State	Zip	Country France
NAME OF THIRD INVENTOR:			
Given Name (first and middle [if any]) Olivier		Family Name or Surname AUDOUIN	
Inventor's Signature 		Date 20/11/03	
Residence: City Longjumeau	State	Country France	Citizenship French
Mailing Address: 91, rue du Président F. Mitterrand, 91160 Longjumeau, France			
City 91160 Longjumeau	State	Zip	Country France
NAME OF FOURTH INVENTOR:			
Given Name (first and middle [if any]) Yann		Family Name or Surname FRIGNAC	
Inventor's Signature 		Date 20/11/03	
Residence: City Paris	State	Country France	Citizenship French
Mailing Address: 8, rue des Fossés St Jacques, 75005 Paris, France			
City 75005 Paris	State	Zip	Country France